



Agenda Item Number: \_\_\_\_\_

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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**Meeting Date:** May 24, 2005

**Department:** Zoning, Building, and Planning **Staff Contact:** Mari Simbaña, Program Planner

**TITLE:** CONSENT: Special Use Permit for a Specific Use for Mobile Home for Watchman/Caretaker and Sale & Service of Propane (CSU-50008)

### COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

### SUMMARY:

At the April 6, 2005 public hearing, the County Planning Commission voted (4-0; Commissioners Becerra, Holcomb, and Montañño excused) to recommend approval of the Special Use Permit for a Specific Use for Mobile Home for Watchman/Caretaker and Sale & Service of Propane on Lot 2, Block 2, Vista Valle Subdivision, located at 1281 Old US 66 East, on the east side of Old US 66 approximately  $\frac{3}{4}$  miles east of NM 217, zoned A-2 with a Special Use Permit for Mobile Home, Wood Yard, Heavy Equipment Sales & Services, containing approximately 2.05 acres. The decision was based on the following six (6) Findings and subject to the following eight (8) Conditions:

#### Findings:

1. This is a request for an amendment to the Special Use Permit for a Specific Use for Mobile Home for Watchman/Caretaker and Sale & Service of Propane on Lot 2, Block 2, Vista Valle Subdivision, located at 1281 Old US 66 East, on the east side of Old US 66 approximately  $\frac{3}{4}$  miles east of NM 217, zoned A-2 with a Special Use Permit for Mobile Home, Wood Yard, Heavy Equipment Sales & Services, containing approximately 2.05 acres.
2. The property is within the Rural Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
3. This request is consistent with Resolution 116-86, in that this land use is more advantageous to the community in that it encourages a small-scale, locally-owned and operated industry that complements residential areas and reduces the need to travel as articulated in Policies 3.g, 6.a, 6.b & 6.g of the Albuquerque/Bernalillo County Comprehensive Plan.
4. This request is consistent with the (East Mountain Area Plan, Land use goal/objective 11c; Land Use policy #10) in that it maintains a community scale commercial use and continues a locally-owned and operated business.

5. This request is consistent with the health, safety, and general welfare of the residents of the County.
6. The Special Use Permit for propane service business, office building, mobile home for watchman, and parking of two delivery trucks (CSU-85-57) is superceded by the amended Special Use Permit (CSU-50008) for a specific use for propane sales and service including an office building, mobile home for watchman, two propane storage tanks, one propane bottle filling dock, and paved parking.

**Conditions:**

1. Applicant shall establish a 6-foot landscape buffer adjacent to residential properties within 120 days of final Board of County Commissioners approval.
2. In the event of future residential uses are developed adjacent to the subject site, a solid fence at least six feet high shall be erected within 120 days from the date of residential construction and shall be erected on sides abutting any residential uses.
3. Lighting shall be site-specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots.
4. No outdoor speakers or amplified sound systems shall be permitted.
5. The applicant shall submit to the Zoning Administrator, a revised site plan consistent with the conditions of this special use permit. These changes shall be submitted within 30 days from the date of final Board of County Commissioners approval.
6. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
7. The Special Use Permit shall be issued for fifteen (15) years.
8. The foregoing Conditions shall become effective immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit, and shall be strictly complied with within one year.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (April 8, 2005)
2. County Planning Commission Information Packet
3. Site Plan (Commissioners Only).

## **STAFF ANALYSIS SUMMARY**

### **ZONING, BUILDING AND PLANNING DEPARTMENT:**

Staff recommends approval